

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

EQUAL EMPLOYMENT	§	
OPPORTUNITY COMMISSION	§	
	§	
Plaintiff	§	
vs.	§	
	§	
AA FOUNDRIES, INC.	§	
	§	
Defendant	§	
	§	
and	§	
	§	
KENNETH E. BACON and	§	
KATHY R. WHITE	§	
	§	No. SA-11-CA-792
Intervenor-	§	
Plaintiffs	§	
	§	
vs.	§	
	§	
AA FOUNDRIES, INC.	§	
	§	
Intervenor-	§	
Defendant	§	
	§	

JUDGMENT

On September 24, 2012, came on for trial the above-styled and numbered cause. The Plaintiff Equal Employment Opportunity Commission appeared by and through its counsel of record, Intervenor Kenneth E. Bacon and Kathy R. White appeared in person and by and through their counsel of record, and Defendant AA Foundries, Inc. appeared by and through its counsel of record. A jury was duly impaneled and sworn, and the Plaintiff and the Intervenor proceeded to present their evidence. When the Plaintiff and the Intervenor rested their case-in-chief, the

Defendant moved for judgment as a matter of law. The Court granted the motion for judgment as a matter of law with respect to the claim of constructive discharge asserted by Intervenor Kathy R. White, but denied the motion in all other respects. The Defendant proceeded to present its evidence. After the close of all the evidence, the arguments of counsel, and the charge of the Court, the jury retired to deliberate. On September 26, 2012, the jury returned a unanimous verdict, answering the special interrogatories in favor of the Plaintiffs with respect to the claims asserted by Christopher Strickland, Kenneth E. Bacon, and Leroy Beal, and in favor of the Defendant with respect to the claims asserted by Kathy R. White. The jury awarded no compensatory damages, but found that Strickland, Bacon, and Beal were entitled to punitive damages. The Court received the verdict, ordered it filed, and hereby renders judgment in accordance with the verdict of the jury.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Christopher Strickland do HAVE and RECOVER of and from Defendant AA Foundries, Inc. the sum of One Hundred Thousand Dollars (\$100,000.00) in punitive damages, together with interest thereon at the rate of 0.17% per annum from the date of Judgment until paid, for all of which let execution issue.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Kenneth E. Bacon do HAVE and RECOVER of and from Defendant AA Foundries, Inc. the sum of Forty Thousand Dollars (\$40,000.00) in punitive damages,

together with interest thereon at the rate of 0.17% per annum from the date of Judgment until paid, for all of which let execution issue.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Leroy Beal do HAVE and RECOVER of and from Defendant AA Foundries, Inc. the sum of Sixty Thousand Dollars (\$60,000.00) in punitive damages, together with interest thereon at the rate of 0.17% per annum from the date of Judgment until paid, for all of which let execution issue.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Judgment be and it is hereby ENTERED in favor of Defendant AA Foundries, Inc. with respect to all claims asserted by Plaintiff-Intervenor Kathy R. White, and that Plaintiff-Intervenor Kathy R. White take nothing by her suit.

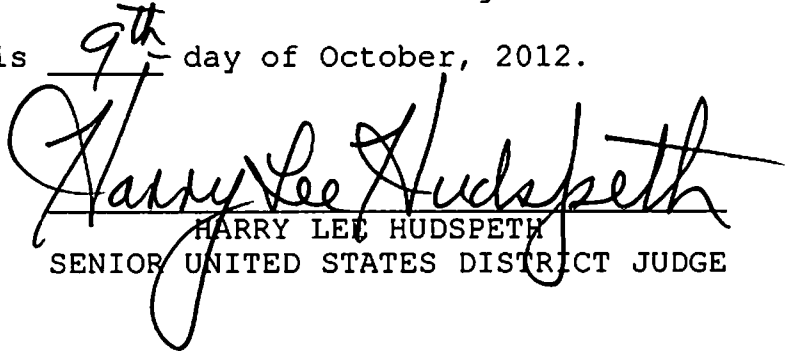
Based upon the verdict of the jury, the Court finds that Plaintiff Equal Employment Opportunity Commission is also entitled to a Judgment permanently enjoining the Defendant from engaging in any employment practice which encourages or condones a hostile work environment based on race.

IT IS THEREFORE FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant AA Foundries, Inc., its employees, agents, servants, successors, transferees, and assigns, and all those acting in concert with them, be, and they are hereby, PERMANENTLY ENJOINED from engaging in any employment practice which facilitates,

condones, or encourages a hostile work environment based on race, or from engaging in any other employment practice which discriminates on the basis of race.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that counsel for Intervenor Kenneth E. Bacon file his application for attorney's fees, accompanied by affidavits or other supporting documents, within fourteen (14) days from the date of this Judgment.

SIGNED AND ENTERED this 9th day of October, 2012.


HARRY LEE HUDSPETH
SENIOR UNITED STATES DISTRICT JUDGE